

07/30/09

Drug recognition evaluation report/narrative

1: **Location:** The evaluation was conducted at the Vergennes Police Department in the DUI processing room.

2: **Witness:** The entire evaluation was witnessed by Officer Newton of the Vergennes Police Department.

3: **Breath Test:** A sample of [REDACTED] breath was taken with a Preliminary Breath Test Result of .000% BrAC at approximately 0040 hours using an Alco IV serial number 042658.

4: **Notification/Interview of A/O:** I was contacted by VSP Williston Dispatch who received a call from Officer Newton. Officer Newton had conducted a motor vehicle stop on a vehicle speeding through town. Officer Newton stated as he approached the vehicle he observed smoke in the vehicle and detected an odor of burnt marijuana. Officer Newton stated after the operator performed poorly on the Standard Field Sobriety Exercises he had him provide a sample of his breath with a result of .000% BrAC.

5: **Initial Observations:** I first observed [REDACTED] sitting in the DUI processing room. His eyes were blood shot. His clothes were disheveled and dirty.

6: **Medical Problems:** No evidence of injury or illness was observed.

7: **Psychophysical Tests:** [REDACTED] exhibited minimal impairment on the psychophysical tests. On the Romberg Balance, [REDACTED] counted fast by estimating the passage of thirty seconds in sixteen seconds. On the One Leg Stand, [REDACTED] skipped number seventeen when standing on his left foot. I observed body tremors when [REDACTED] stood on both the left and right feet. On the Finger to Nose, [REDACTED] failed to touch the tip of his nose on numbers one, two, three, and six.

8: **Clinical Indicators:** EYES: I observed HGN on set at forty five degrees or extreme deviation. [REDACTED] exhibited bloodshot eyes.

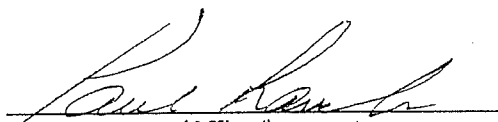
9: **Signs of Ingestion:** No other signs of ingestion were visible.

10: **Statements:** [REDACTED] stated he has been smoking marijuana for twenty years. He stated he smokes approximately three rolled joints a day and uses approximately 1/2 oz of marijuana a week. He advised he is a ride operator/builder for the Reithoffer Fair and travels to a new town every week ten months out of the year. He advised he knows where to find marijuana in most any town he travels too. He advised he just purchased a 1/2 oz of marijuana in West Virginia before he left for Vermont.

Subscribed and sworn to before me on

this 12 day of September 2009

(Notary Public) (Judicial Officer)


(Affiant)
September 12, 2009
(date)

09A103480

Name (Last, First, Middle)

Violations

T 23 VSA 1201(a)(3)

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11: **Opinion of Evaluator:** Based on my evaluation [REDACTED] was a rule out.

12: **Toxicological Sample:** None Taken

13. **Miscellaneous:** I am a Nationally Certified Drug Recognition Expert since July 2008.

Subscribed and sworn to before me on

this 12 day of September 2009

(Notary Public) (Judicial Officer)

[Signature]
(Affiant)
September 12, 2009
(date)